

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 100, Page 2, Section 43.518, Line 19, by
2 deleting all of said line and inserting in lieu thereof the following:

3
4 "court budget] court automation committee; the presidents of"; and

5
6 Further amend said bill, Page 5, Section 57.095, Line 5, by inserting after all of said section and line
7 the following:

8 "57.955. 1. There shall be assessed and collected a surcharge of [three] two dollars in all civil
9 actions filed in the courts of this state and in all criminal cases including violation of any county or
10 municipal ordinance or any violation of criminal or traffic laws of this state, including infractions
11 and municipal ordinance violations, but no such surcharge shall be assessed when the costs are
12 waived or are to be paid by the state, county or municipality or when a criminal proceeding or the
13 defendant has been dismissed by the court. For purposes of this section, the term "county ordinance"
14 shall not include any ordinance of the city of St. Louis. The clerk responsible for collecting court
15 costs in civil and criminal cases, shall collect and disburse such amounts as provided by sections
16 488.010 to 488.020*. Such funds shall be payable to the sheriffs' retirement fund. Moneys credited to
17 the sheriffs' retirement fund shall be used only for the purposes provided for in sections 57.949 to
18 57.997 and for no other purpose.

19 2. The board may accept gifts, donations, grants and bequests from public or private sources
20 to the sheriffs' retirement fund."; and

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22 Further amend said bill, Page 5, Section 432.047, Line 4, by deleting all of said line and inserting in
23 lieu thereof the following:

24
25 "2. A debtor may not maintain an action upon or a defense, regardless of"; and

26
27 Further amend said bill, Page 20, Section 479.085, Line 6, by inserting after all of said section and
28 line the following:

29 "488.024. As provided by [section 57.955] sections 57.949 to 57.997, there shall be assessed
30 and collected a surcharge of [three] two dollars in all civil actions filed in the courts of this state and
31 in all criminal cases including violation of any county or municipal ordinance or any violation of
32 criminal or traffic laws of this state, including infractions and municipal ordinance violations, but no
33 such surcharge shall be assessed when the costs are waived or are to be paid by the state, county or
34 municipality or when a criminal proceeding or the defendant has been dismissed by the court. For
35 purposes of this section, the term "county ordinance" shall not include any ordinance of the City of
36 St. Louis. The clerk responsible for collecting court costs in civil and criminal cases shall collect and
37 disburse such amounts as provided by sections 488.010 to 488.020. Such funds shall be payable to

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1 the sheriffs' retirement fund."; and

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3 Further amend said bill, Page 22, Section 488.5320, Line 15, by inserting after all of said line the
4 following:

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6 "2. Notwithstanding subsection 1 of this section to the contrary, sheriffs, county marshals, or
7 other officers in any county with a charter form of government and with more than nine hundred
8 fifty thousand inhabitants or in any city not within a county shall not be allowed a charge for their
9 services rendered in cases disposed of by a violations bureau established pursuant to law or supreme
10 court rule."; and

11
12 Further amend by renumbering the remainder of section 488.5320 accordingly; and

13
14 Further amend said bill, Page 25, Section 513.430, Line 85, by inserting after all of said section and
15 line the following:

16 "514.040. 1. Except as provided in subsection 3 of this section, if any court shall, before or
17 after the commencement of any suit pending before it, be satisfied that the plaintiff is a poor person,
18 and unable to prosecute his or her suit, and pay all or any portion of the costs and expenses thereof,
19 such court may, in its discretion, permit him or her to commence and prosecute his or her action as a
20 poor person, and thereupon such poor person shall have all necessary process and proceedings as in
21 other cases, without fees, tax or charge as the court determines the person cannot pay; and the court
22 may assign to such person counsel, who, as well as all other officers of the court, shall perform their
23 duties in such suit without fee or reward as the court may excuse; but if judgment is entered for the
24 plaintiff, costs shall be recovered, which shall be collected for the use of the officers of the court.

25 2. In any civil action brought in a court of this state by any offender convicted of a crime
26 who is confined in any state prison or correctional center, the court shall not reduce the amount
27 required as security for costs upon filing such suit to an amount of less than ten dollars pursuant to
28 this section. This subsection shall not apply to any action for which no sum as security for costs is
29 required to be paid upon filing such suit.

30 3. Where a party is represented in a civil action by a legal aid society or a legal services or
31 other nonprofit organization funded in whole or substantial part by moneys appropriated by the
32 general assembly of the state of Missouri, which has as its primary purpose the furnishing of legal
33 services to indigent persons, by a law school clinic which has as its primary purpose educating law
34 students through furnishing legal services to indigent persons, or by private counsel working on
35 behalf of or under the auspices of such society, all costs and expenses related to the prosecution of
36 the suit may be waived without the necessity of a motion and court approval, provided that a
37 determination has been made by such society or organization that such party is unable to pay the
38 costs, fees and expenses necessary to prosecute or defend the action, and that a certification that such
39 determination has been made is filed with the clerk of the court."; and

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41 Further amend said bill, Page 26, Section 559.100, Line 17, by inserting after the word "attorney." on
42 said line the following:

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44 "Nothing in this section shall prohibit the prosecuting attorney or circuit attorney from contracting
45 with or utilizing another entity for the collection of restitution and costs under this section."; and

46
47 Further amend said bill by amending the title, enacting clause, and intersectional references
48 accordingly.